

OHIO SUPREME COURT DECISIONS

SEVERAL OF SPECIAL INTEREST
HANDLED DOWN AT
COLUMBUS.

TESTIMONY OF WIFE IS N. G.

Can't Convict on It in Criminal Action
—Union Label, Personal Injury
and Other Cases.
Decided.

Columbus, O., Dec. 2.—An important decision was handed down by the supreme court Tuesday which materially weakens the law against the failure to provide for minor children. The case styled the state of Ohio vs. Arthur Orth, was brought up by the prosecutor of Hancock county on exceptions which exceptions the supreme court overrules. Orth was tried on a charge of failure to provide and his attorneys held that he could not be convicted on testimony of his wife. The court holds likewise, on the old ruling of the use of the testimony of a wife or husband against a life partner in a criminal case.

Charles C. Myer and Louis Wenzel started a saloon in Cleveland and bought their fixtures from the Cleveland Store Fixture Co. George F. Gunn, president of the Gunn Brewing Co., became surety for them on condition that the fixtures should bear the union label, this being an extra agreement and not a part of the contract. When the fixtures were delivered, only part of them bore the union label. Gunn refused to pay the bill. The fixture company then agreed to saw out a part of the bar and have a new part put in by union labor which should bear the label. Gunn would not agree to this and suit was entered. Gunn lost in the lower courts and the supreme court has affirmed the decision.

A Cleveland case decided Tuesday was the C. C. & St. L. railroad vs. Frank Curran, a minor. The boy, 12 years old, was at the Cleveland stock yards to see about a carload of poultry when a loose door on a passing train struck and injured him. The common pleas court reverses the circuit court and affirms the decision of the common pleas court, so the boy gets nothing. Charles A. Turner likewise loses his personal damage case against the Pope Motor Car Co. and the Baker Motor Vehicle Co. He was attending a race at Cleveland between cars owned by these companies and was injured.

The law that the tracks of an interurban company may not cross the tracks of a steam road at grade, unless it is absolutely necessary that it do so in order to reach its objective point, may not be evaded by selection of a point of crossing by the junior company where separation of the grade is impossible, according to a decision of the supreme court Tuesday in a case which railroad men all over the state have been watching with interest. The suit is styled "In the matter of the application of the Toledo, Findlay & Fostoria Railway Co., to ascertain and define the mode of crossing the tracks of the Pennsylvania company." The common pleas court held for a crossing at grade. The circuit court reversed the common pleas court and the supreme court upholds the latter. The case is reported. Another grade crossing case decided was that of the Toledo Railway & Terminal Co. and Jackson Harmon, receiver of the Toledo Railway & Terminal Co., vs. the Lima & Toledo Traction Co. The terminal company loses its case and the traction company gets the crossing.

The case of the Union Savings Bank and Trust Co. of Cincinnati, executor, plaintiff in error, vs. the Western Union Telegraph Co., defendant in error, in which the important question as to the right of a trust company to act as executor was brought up by the telegraph company, was disposed of Tuesday without a decision as to the main point at issue. The court holds that the telegraph company cannot properly bring up the question in the suit being tried. The suit grows out of a minor case. Adolphus H. Smith of Clark county got damages against the Western Union because it killed some shade trees, but he never collected. The trust company was appointed executor of his estate and revived the judgment and sought to collect. The Western Union brought up the question as to the trust company's right to act as executor, and the court decided against the trust company. The case was brought up again for rehearing the former judgment vacated, the circuit court reversed and the common pleas court affirmed. The court holds that if the right of the trust company to act as executor is to be attacked it must be attacked directly, and not collaterally, as is done in this instance. Chief Justice Price dissents. The case is reported.

Examining Cleveland Accounts.
Columbus, O., Dec. 2.—The state bureau of uniform accounting on Tuesday commenced a general examination of the books and accounts of the city of Cleveland, this being the first general audit commenced in that city. A. H. Foster of Columbus, one of the bureau's experts, will be in charge of the work. The examination has no special significance at this time, it being made simply in the regular course of the bureau's duties.

New Incorporations.
Columbus, O., Dec. 2.—The Commercial Real Estate Co., Cleveland, increased its capital stock from \$10,000 to \$45,000; the Lee Road Realty Co., Cleveland, \$25,000, was incorporated by Cady T. Young, John F. Wendt, Merritt Marshall, John K. Corwin and Peter Schneider; the Park Club, Cleveland, P. F. Gibbons and others.

1,000 Men Resume Work.
Chicago, Dec. 2.—After an idleness of 13 months, the old open heart department of the Illinois Steel Co. plant at South Chicago was reopened Tuesday and 1,000 men resumed work. Preparations are making to open five other blast furnaces.

Martial Law Because of Race Riots.
Prague, Bohemia, Dec. 2.—The race riots between the Czechs and Germans are assuming the gravest character and probably will compel a declaration of martial law.

Charged with Cruelty to Children.
Cleveland, Dec. 2.—Two warrants for the arrest of Mrs. Annette S. Chase, proprietor of a Marvin avenue home for children, have been issued on charges of cruelty to children in her care.



But a Wise Child Knows Its Own Father.

WIRE PICKINGS.

A cat show is on at Syracuse, N. Y. Yowlers from various parts of the country are there.

A 50-mile blizzard with blinding snow has been raging over Lake Superior and St. Mary's river, putting navigation at a standstill.

The Arkansas supreme court has declared it illegal to solicit orders for intoxicating liquors by mailing circulars into prohibition territory.

Dorabio Pietri, who defeated Hayes in the recent Marathon race at Madison Square garden, will run an other with Tom Longboat at the garden December 15.

C. G. Gowie, formerly a well known cotton buyer and prominent in Memphis social life, was found dead with a bullet hole in his temple Tuesday at his residence.

Another attempt to depose Senator Patrick H. McCarren as the leader of the Democratic forces in Brooklyn proved futile Tuesday night, but it was shown that the opposition to him is growing.

In the circuit court at Frankfort, Ky., on Tuesday Judge Stout rendered a decision in which he directs the board of valuation and assessment to assemble and assess the Southern Pacific railroad according to law.

Eight thousand dollars was distributed at headquarters of the Automobile Club of America in New York Tuesday to the first drivers who crossed the finish mark in the recent grand prize race at Savannah.

John E. Madden on Tuesday shipped 25 of the choicest brood mares at his Hamburg place at Lexington, Ky., to New York and from there they will go to France, where Madden will establish a breeding plant for thoroughbreds.

All four class postmasters in the states east of the Mississippi river and north of the Ohio river were on Tuesday placed in the classified service by an executive order of the president. Hereafter all the appointees to fourth class postmaster ships in those states must undergo civil service examinations.

Must Take Care of Raw Material.
New York, Dec. 2.—That the industrial salvation of the United States lies in keeping the cost of raw materials low was the deduction from existing conditions of competition in the world's markets drawn by M. L. Holman of St. Louis, president of the American Society of Mechanical Engineers, in an address at the annual meeting of that organization here Tuesday night. President Holman reviewed the waste of our timber, coal and other raw materials of production, the consequences of which, he declared, would, if not soon checked, prove disastrous to industry.

Big Suit for Back Taxes.
Parkersburg, W. Va., Dec. 2.—The state of West Virginia has filed suit in circuit court against the estate of the late United States Senator Johnson N. Camden, to collect \$1,770,452 under the forfeiture clause of the new tax law, which provides that when a person fails to report the value of property the state can declare forfeited 20 per cent of the amount withheld. It is alleged that in the three years preceding this one, about \$2,000,000 worth of property was not returned by Senator Camden, while this year \$1,500,000 was not reported.

Yale Student Suicides.
New Haven, Conn., Dec. 2.—John A. White, 20 years old, of Walton, N. Y., a student in the Yale graduate school committed suicide Tuesday by jumping from the top of West Rock to the ground below, 100 feet.

Night Riders in Indiana.
Evansville, Ind., Dec. 2.—Night Riders on Tuesday destroyed the barn of W. H. Gossar. The barn was filled with tobacco and the loss is \$2,000. Gossar recently came from Kentucky while a resident of that state he had refused to pool his tobacco.

Cuban Racing Association's Inaugural.
Havana, Dec. 2.—Twelve hundred persons attended the Cuban Racing association's inaugural meeting at Al mendares park Tuesday. Six events were on the card.

IN UNCLE JOE'S TOWN

HAPPENINGS OF GENERAL INTEREST AT THE NATIONAL CAPITAL.

THEY SAY CANNON'S LOADED

Foot and Mouth Disease Expensive—
Nation Getting Deeper in
Debt—Conservation
Commission.

Washington, Dec. 2.—Friends of Speaker Cannon profess to be pleased with the responses to letters which Representative Mann of Chicago has been sending to the members, announcing that the Illinois delegation will present the name of Cannon for speaker. They state these answers assure the reelection of the speaker. Representative Mann Tuesday admitted he had received unequivocal answers from more than a majority of the Republicans of the house, saying they would support Mr. Cannon. This number has not yet reached a majority of the house.

So expensive has been the campaign of the department of agriculture against the foot and mouth disease in New York, Pennsylvania, Michigan and Maryland, that Secretary Wilson soon will ask congress for an emergency appropriation of \$500,000. The slaughter of herds is being continued with a view of eradicating the infection. The cost of disinfecting premises is paid by the federal government and is enormous. When the disease affected the cattle in New England \$300,000 was spent in freeing the country from it, but in that case little trouble was encountered in ascertaining the origin, while at present the experts have not been so successful. It is believed the disease will be exterminated at a cost to the government of \$500,000.

The federal officials in charge of the mine accidents and mine rescue station of the United States geological survey at Pittsburgh have issued instructions that at times of mine disasters and the troops of the government, which are entrenched a few miles outside the city, is likely to be deferred for several days. Gen. Antoine Simon, the commander in chief of the revolutionary forces, has decided to attack Jacmel, which lies 30 miles to the southwest and is the only town that has remained loyal in the department of the south, before resuming his march on Port au Prince.

It is believed that the situation, so far as the government is concerned, is best. Louis Borno, the minister of state, has handed in his resignation and has taken refuge in the German legation, and there now remain in office only three of the high governmental officials.

The three divisions of government troops entrenched at the crossroads outside the city are being depleted by numerous desertions. While every effort has been made to hold the troops together and there have been few outward signs of disaffection, the government soldiers have taken the first opportunity to slip away. Some of these undoubtedly will join the insurgent army. Gen. Simon will enter Port au Prince probably without striking a blow and it may be without causing disturbances in the order of things if President Nord Alexis takes his departure from the city before the arrival of the enemy. The situation will be critical if the president elects to remain.

The president has angrily resisted the counsels of his ministers and threatens, if the revolutionists attack the city, to blow up the palace. It is believed that there will be an uprising against the government in Port au Prince just as soon as Gen. Simon reaches the crossroads with his army.

Working Madly on Levee.
Pine Bluff, Ark., Dec. 2.—While awaiting answer to an appeal sent as a last recourse to President Roosevelt that permission be granted it cut through the government levee and change the course of the Arkansas river, leaving Pine Bluff high and dry but safe, every available man in this city Tuesday night was at work strengthening already crumbling banks until the crest of a 26-foot rise passes this point, probably Wednesday night, in an effort to prevent an overflow which would mean the destruction of property valued at hundreds of thousands of dollars and possible loss of life.

Conference of Operators and Miners.
Charleston, W. Va., Dec. 2.—The request of the United Mine Workers of District No. 17 made in a special convention last Friday has been acceded to by the Kanawha Coal Operators association, which on Tuesday agreed to join with the mine workers in sending out a joint call to all operators in the state, including those in non-union fields, to meet in a general convention to consider a competitive scale.

Killed Daughter, Then Suicided.
Memphis, Tenn., Dec. 2.—Mrs. Nicholas P. Errington of Chicago committed suicide at a hotel here Tuesday by drinking carbolic acid, after forcing a fatal dose of the poison down the throat of her 7-year-old daughter.

American Trotting Association.
Chicago, Dec. 2.—The annual meeting of the American Trotting association began Tuesday in the Auditorium. About 145 minor cases, mostly appeals from decisions of track judges, will be taken up Wednesday.

A Man May Eat Any Meal

And Digest It Easily If He Will but Try

FREE DIGESTIVE TABLETS

Don't be afraid of your meals. The reason you have dyspepsia is that something is lacking in your digestive apparatus necessary to the stomach's work.

A perfect stomach loves to work. Perfect digestion is not afraid of any meal and benefits by its consumption of food the whole machine of man.

Stuart's Dyspepsia Tablets make easy the work of digestion, because they combine active fruit and vegetable essences which are needed by the stomach.

These essences are so powerful they digest food without aid from the stomach. They have done this with a meal enclosed in a glass tube.

We will send a trial package to any one free for his name and address.

Eat what you will or when you will, then take a Stuart's Dyspepsia Tablet and see how you will digest that meal. In a short time your stomach will have a natural supply of gastric juices and your whole system will be able to take care of digestion easily.

Ask any druggist about Stuart's Dyspepsia Tablets. His answer will tell more than we can say. Ask him how they sell. If you want to buy them give him 50c. But if you want to test them write us and you will receive a trial package by mail without cost. Address R. A. Stuart Co., 150 Stuart Bldg., Marshall, Mich.

STORIES OF BUCKEYE LIFE.

NEWS GATHERED ESPECIALLY FOR OHIO READERS.

Happenings in Various Cities and Towns in the State Are Chronicled.

Council of Jewish Women.

Cincinnati, Dec. 2.—The value to the present age of the good social worker was the keynote of the address by Mrs. Hugo Rosenberg of Pittsburgh, retiring president of the National Council of Jewish Women, at the opening session of the triennial meeting in the Avondale temple Tuesday evening. Speaking of the national council and its work, Mrs. Rosenberg said: "The council represents 10,000 Jewish women, banded for work along philanthropic, legislative and co-operative lines. Among the most interesting of our works is the immigrant aid. I would not say it is most important, but it ranks in the first class of our important works. We have accomplished the uplift of many girls, alone and friendless in a strange land. In New York, Boston, Baltimore, Philadelphia, in all the port towns of this country, we have this work: It includes all we can do to make a girl feel she has friends from the time she lands until we have placed her in a position." Mrs. Rosenberg refused reelection because of poor health.

Loomis Home from Japan.

Springfield, O., Dec. 2.—Francis B. Loomis, former assistant secretary of state and commissioner general of the United States to the coming Japanese exposition, returned to his home in this city Tuesday after an absence of several months in Japan. Mr. Loomis says that he was received with the greatest demonstrations of cordiality in every part of Japan and that there was every evidence of a friendly feeling. He was accompanied by a deputation of Pacific coast business men who are enthusiastic over trade prospects. Mr. Loomis believes that the tour of his commission helped bring about the friendly feeling with Japan. He states that the postponement of the exposition until 1918 will be to the great advantage of the project. Mr. Loomis was decorated by the emperor with the Order of the Sacred Treasure.

Chief Biggy's Body Not Recovered.
San Francisco, Dec. 2.—Although numerous boats have patrolled and searched the waters of San Francisco bay since daylight Tuesday and officers of ferryboats and other craft have kept a lookout, the body of Chief of Police W. J. Biggy, who disappeared from the police launch Patrol and is believed to have fallen overboard while returning from Belvedere, a suburb on the north shore, has not been recovered.

72 Reelfoot Lake Indictments.
Union City, Tenn., Dec. 2.—Attorney General Caldwell announced Tuesday that he had 72 indictments in the Reelfoot lake night rider case ready for Wednesday. Tuesday Frank Ferriner was before the grand jury and went into detail as to the route taken by the crowd going to and from Walnut Log the night Capt. Rankin was killed. Ferriner was the second man to confess.

Shoots Wife in Jealous Rage.
Cleveland, Dec. 2.—Joseph Lovinick shot and killed his wife Tuesday night in a fit of jealous rage. The shooting occurred at the supper table while they were at their first meal in Cleveland, they having just moved in from Randall.

QUICK MEAL

Gas Ranges

Are made in a "know how" factory by "know how" mechanics. That's why "Quick Meals" are inapproachable for results—economy—wear.

AMMANN

SELLS THEM

May Compromise on Manslaughter.

Toledo, O., Dec. 2.—Harvey Hazel, 17-year-old boy indicted for murder in the first degree for the brutal murder of his mother on January 11 last, when it is alleged he killed her by beating her to death with a hammer, may escape the penitentiary if a series of conferences held Tuesday evening result successfully. The defense has moved to obtain a compromise plea of manslaughter, with an indeterminate sentence in the Ohio state reformatory at Mansfield. It is likely that the trial will come to a sudden termination by the state accepting a plea of guilty to manslaughter, with a condition that young Hazel be confined in the reformatory for more than ten years.

Suspected Cattle All Right.

Springfield, O., Dec. 2.—No trace of foot and mouth disease was discovered in the herd of cattle quarantined in the Big Four yards east of this city when Dr. Paul Fischer, state veterinarian, and Government Inspector Morrow made a systematic examination of every animal, but the entire herd will be kept in quarantine awaiting possible development of the disease. The cattle, which came from Chicago by way of Detroit, were in fine condition, without a trace of any disease, but as they were exposed in the infected yards at Detroit, they were ordered held in quarantine.

Old Jack Page Is Loose.

Columbus, O., Dec. 2.—"Old Jack Page," 86 years old and known the United States over as a "firebug" who gave the United States officers a lot of trouble before he was caught, was released from the penitentiary Tuesday after serving his time for arson. He confessed and implicated 28 men in Williams county. Some of them are still in the penitentiary. Others committed suicide. Page said he would not go to Williams county, as he was afraid of being killed.

Inspection System Rigidly Enforced.

Dayton, O., Dec. 2.—Employees of the railroad companies at the Dayton Union stock yards received instructions Tuesday to refuse all cars coming from infected districts which have not been thoroughly disinfected. A careful inspection system is now being rigidly enforced in the yards and no indications have been found of the foot and mouth disease thus far.

Ask for Rehearing.

Columbus, O., Dec. 2.—Attorneys for the receivers of the C. B. & H. railroad on Tuesday asked the supreme court for a rehearing of the motion to quash the summons in error issued to Henry Neil and three other Columbus defendants, in which the court allowed the motion because it was shown service was had on the attorneys of the defendants in error instead of the defendants themselves. The attorneys for the receivers claim that the defendants are now in court, having acknowledged this by filing a brief through their attorneys, which brief was argued before the court. The suit is one in which an attempt is being made to enforce the old double liability law against stockholders.

Stripes Tabooed for Workhouse Garb.

Dayton, O., Dec. 2.—The board of public service has ordered that the use of striped clothing by the city workhouse be discontinued. A uniform of black or grey cloth will be adopted. The order was made on the theory that all inmates of the workhouse are not criminals, and the custom tends to a punishment in the loss of self-respect not consistent with morality or reformation.

\$1,000 Reward for Bridge Dynamiters.

Cleveland, Dec. 2.—The National Erectors' association has offered \$1,000 reward for information leading to the conviction of anyone concerned in the dynamiting of the W. & L. E. bridge here.

President Thompson Ill.

Columbus, O., Dec. 2.—Dr. William O. Thompson, president of the Ohio State university, is seriously ill.

Oil Company Enjoined.

Pawhuska, Okla., Dec. 2.—An injunction was issued Tuesday restraining the Indian Territory Illuminating Oil Co. from piping oil and gas out of the state and from constructing its pipe lines along the highways of the state, following the filing of a suit by the state asking that the company be ousted from the state for violation of the statutes and constitution of Oklahoma.

Try an ad in The Mirror and Columbus.

It is the fashionable pose now to speak of your hundreds of dollars' gown, rich with real laces and embroideries, as "a rag of Doucet's," and not "fit to be seen." A beautiful country house, abundantly supplied with servants and kept up with all possible luxury, is just "a little box" where "we do everything so simply!" La. la. Affection and self-consciousness of the new rich are responsible for this apability.

Union Station Time Card HOCKING VALLEY RY

EFFECTIVE JUNE 23, 1908.	
NORTH BOUND.	
No. 31	7:00 am
No. 33	10:15 am
No. 35	4:20 pm
No. 37	10:50 pm
No. 39	6:10 pm
SOUTH BOUND.	
No. 30	5:50 am
No. 32	7:20 am
No. 34	10:15 am
No. 36	1:35 pm
No. 38	7:15 pm
No. 39	will leave Columbus at 6 p. m. on Sundays.
No. 38	starts from Marion.
No. 39	stops at Marion.

ERIE RAILROAD

Chicago Division.
EAST BOUND.

*4	6:07 pm
*12	4:50 am
*6	8:35 am
*16	12:40 pm
*22	5:20 pm

WEST BOUND.

*3	10:25 am
*7	11:00 pm
*9	12:45 am
*21	7:10 am
*15	4:30 pm

Cincinnati Division.

EAST BOUND.

*4	6:15 pm
*10	12:25 am
*12	12:25 am
*8	9:00 am
*16	12:52 pm

WEST BOUND.

*5	10:27 am
*9	1:15 am
*15	4:35 pm

*Daily a Daily except Sunday.

All trains daily except locale am.

Nos. 6 and 10.

For further information regarding

trains, call information operator,

either phone.

L. M. NEBERGALD,

Ticket Agent

Phone 146.

New York Central Lines

BIG FOUR ROUTE.

EAST BOUND.

*4	9:25 a. m.
*6	12:25 noon
*14	7:22 p. m.
*20	10:57 p. m.
*18	11:19 p. m.
*10	5:27 p. m.

No 10 daily except Sunday

WEST BOUND.

*11	2:35 a. m.
*11	5:58 a. m.
*19	9:55 a. m.
*27	1:55 p. m.
*48	7:25 p. m.
*5	4:27 p. m.

No. 5 daily except Sunday.